

Attachment 15
NEIC Compliance-Focused
Environmental Management System Elements

A. Environmental Policy

This policy, upon which the Environmental Management System (EMS) is based, must clearly communicate management commitment to achieving compliance with applicable federal, state, and local environmental statutes, regulations, enforceable agreements, and permits (hereafter, "environmental requirements") and continuous improvement in environmental performance. The policy should also state management's intent to provide adequate personnel and other resources for the EMS.

B. Organization, Personnel, and Oversight of EMS

1. Describes, organizationally, how the EMS is implemented and maintained.

2. Includes organization charts that identify units, line management, and other individuals having environmental performance and regulatory compliance responsibilities.

3. Identifies and defines duties, roles, responsibilities, and authorities of key environmental program personnel in implementing and sustaining the EMS (e.g., could include position descriptions and performance standards for all environmental department personnel, and excerpts from others having specific environmental program and regulatory compliance responsibilities).

4. Includes ongoing means of communicating environmental issues and information to all organization personnel, on-site service providers, and contractors, and for receiving and addressing their concerns.

C. Accountability and Responsibility

1. Specifies accountability and responsibilities of organization's management, on-site service providers, and contractors for environmental protection practices, assuring compliance, required reporting to regulatory agencies, and corrective actions implemented in their area(s) of responsibility.

2. Describes incentive programs for managers and employees to perform in accordance with compliance policies, standards and procedures.

3. Describes potential consequences for departure from specified operating procedures, including liability for civil/administrative penalties imposed as a result of noncompliance.

D. Environmental Requirements

1. Describes process for identifying, interpreting, and effectively communicating environmental requirements to affected organization personnel, on-site service providers, and contractors, and ensuring that facility activities conform to those requirements. Specifies procedures for prospectively identifying and obtaining information about changes and proposed changes in environmental requirements, and incorporating those changes into the EMS.

2. Establishes and describes processes to ensure communication with regulatory agencies regarding environmental requirements and regulatory compliance.

E. Assessment, Prevention, and Control

1. Identifies an ongoing process for assessing operations, for the purposes of preventing and controlling releases, ensuring environmental protection, and maintaining compliance with statutory and regulatory requirements. This section shall describe monitoring and measurements, as appropriate, to ensure sustained compliance. It shall also include identifying operations and waste streams where equipment malfunctions and deterioration, operator errors, and discharges or emissions may be causing, or may lead to: (1) releases of hazardous waste or other pollutants to the environment, (2) a threat to human health or the environment, or (3) violations of environmental requirements.

2. Describes process for identifying operations and activities where documented standard operating practices (SOPs) are needed to prevent potential violations or pollutant releases, and defines a uniform process for developing, approving and implementing the SOPs.

3. Describes a system for conducting and documenting routine, objective, self-inspections by department supervisors and trained staff, especially at locations identified by the process described in E.1. above.

4. Describes process for ensuring input of environmental requirements (or concerns) in planning, design, and operation of ongoing, new, and/or changing buildings, processes, maintenance activities, and products.

F. Environmental Incident and Noncompliance Investigations

1. Describes standard procedures and requirements for internal and external reporting of potential violations and release incidents.

2. Establishes procedures for investigation, and prompt and appropriate correction of potential violations. The investigation process includes root-cause analysis of identified problems to aid in developing the corrective actions.

3. Describes a system for development, tracking, and effectiveness verification of corrective and preventative actions.

4. Each of these procedures shall specify self-testing of such procedures, where practicable.

G. Environmental Training, Awareness, and Competence

1. Identifies specific education and training required for organization personnel, as well as process for documenting training provided.

2. Describes program to ensure that organization employees are aware of its environmental policies and procedures, environmental requirements, and their roles and responsibilities within the environmental management system.

3. Describes program for ensuring that personnel responsible for meeting and maintaining compliance with environmental requirements are competent on the basis of appropriate education, training, and/or experience.

H. Environmental Planning and Organizational Decision-Making

1. Describes how environmental planning will be integrated into organizational decision-making, including plans and decisions on capital improvements, product and process design, training programs, and maintenance activities.

2. Requires establishing written targets, objectives, and action plans by at least each operating organizational sub-unit with environmental responsibilities, as appropriate, including those for contractor operations conducted at the facility, and how specified actions will be tracked and progress reported. Targets and objectives must include achieving and maintaining compliance with all environmental requirements.

I. Maintenance of Records and Documentation

1. Identifies the types of records developed in support of the EMS (including audits and reviews), who maintains them and where, and protocols for responding to inquiries and requests for release of information.

2. Specifies the data management systems for any internal waste tracking, environmental data, and hazardous waste determinations.

J. Pollution Prevention Program

Describes an internal program for preventing, reducing, recycling, reusing, and minimizing waste and emissions, including procedures to encourage material substitutions. Also includes mechanisms for identifying candidate materials to be addressed by program and tracking progress.

K. Continuing Program Evaluation and Improvement

1. Describes program for periodic (at least annually) evaluation of the EMS, including incorporating the results of the assessment into program improvements, revisions to the manual, and communicating findings and action plans to affected employees, on-site service providers, and contractors.

2. Describes a program for ongoing evaluation of facility compliance with environmental requirements, and should specify periodic compliance audits by an independent auditor(s). Audit results are reported to upper management and potential violations are addressed through the process described in Section F above.

L. Public Involvement/Community Outreach

Describes a program for ongoing community education and involvement in the environmental aspects of the organization's operations and general environmental awareness.